IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS LUFKIN DIVISION

CHRISTIAN MATTHEW JAMES	§	§
VS.	§	CIVIL ACTION NO. 9:17-CV-50
JERRY BAKER, et al.,	§	

MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Christian Matthew Thames, a pre-trial detainee confined at the Houston County Jail, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against defendants Jerry Baker, Lieutenant Jackson, and Courtney Benevidas, all with the Houston County Jail.

The Court referred this matter to the Honorable Zack Hawthorn United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends plaintiff's claims be dismissed for failure to state a claim and as frivolous.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.¹

¹The Report and Recommendation was filed May 31, 2017 (docket entry no. 14). Plaintiff received a copy of the Report and Recommendation on May 24, 2017 (docket entry no. 16). Plaintiff filed a Notice of Appeal on June 12, 2017 and the Fifth Circuit Court of Appeals docketed the appeal on June 23, 2017 (docket entry no. 17). The Fifth Circuit dismissed the appeal for lack of jurisdiction on December 20, 2017 (docket entry no. 22). No objections have been filed to date.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A Final Judgment will be entered in accordance with the recommendations of the Magistrate Judge.

So Ordered and Signed

Feb 4, 2018

Ron Clark, United States District Judge

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